

February 22, 2007

Re: Protecting Unborn Children from Neglect and Abuse

I am a volunteer Guardian Ad Litem working under the supervision of the CASA program. In late October 2005, I restarted a child neglect case dismissed in 2004 when the mother moved out of state. The social worker said the mother was about five months pregnant, had limited prenatal medical care and was abusing meth. My November 2005 report to the court stated the mother *"is pregnant and admits to drug abuse. The unborn baby is being abused. If (the mother) could be jailed until the birth, the abuse of the unborn child would stop."*

When making the above statement, I knew full well the court could not order what I was asking. However, the statement was directed at the parents. At the hearing the judge stated he had spent the last one ½ hours trying to figure out how to jail the mother (I think he was trying to scare her). He then ordered drug testing on three day intervals. A local doctor arranged for the mother to enter (at no charge) a Great Falls facility specializing in treating substance abusing pregnant women.

The mother failed at every offer. She missed or failed most drug tests. She never did make it to Great Falls. Twin children were born in late December two months premature. The mother had previously expressed the desire to be sterilized. The doctors knew of the request, but needed a direct confirmation. She was so impaired by her substance abuse, consent was not received and the procedure was not performed. At the birth, the mother and one child tested positive for meth.

The children have been in state custody since their birth. One child displays emotional outbursts that are consistent with meth abuse. The other child appears unaffected. However, it may be a full generation or two before the full effects of prenatal meth abuse are known.

The reason I am here today is these babies should have been under the protection of the state beginning at the first court hearing. These twins deserved protection from neglect and abuse before they were born.

I congratulate this committee for investigating such a difficult issue. Thank you for allowing my participation.

Cordially,



Tom Shellenberg